

Appn. Number 09/641,410 (Kiely)

GAU 1794

Amendment A

6

Claims:

Applicant respectfully requests reconsideration and/or rejoining of method claims 370- 382 as these claims require all the limitations of a generic claim, as entitled under at least 37 CFR 1.141.

N.B. No restriction against a method claim was made for the above application.

Claims 370 - 376 require the limitations of claim 349.

Claims 377 - 382 require the limitations of claim 360.

Applicant also respectfully requests reconsideration and rejoining of the ingredients of claims 355, (349); 383, 365, (360); 371, (370); and 379 (377, 360); of co-pending applications Sr. No. 10/163,209 (cookie support) (cookie, a cracker, a wafer, a bread stick, a potato stick, a pretzel, crushed comestibles, crumbs) and Sr. No. 10/167,812 (Granola; Healthy) (whole grain comprising crisped rice, cereal) in view of a common generic claim of the above application.

Appn. Number 09/641,410 (Kiely)

GAU 1794

Amendment A

7

Claims: 1 - 348 (canceled)

I claim:

349. (Previously presented): A support for a frozen comestible comprising a material comprising two edible ingredient materials.

350. (Previously presented): The support for a frozen comestible of claim 349 wherein one of said two ingredient materials comprises an edible hollow confection length, wherein the other of said two ingredient materials comprises an edible filling placed in said hollow length, wherein said filling comprises a plurality of candy beads, colored sugar, flavored sugar, an edible confection rope, or a fluid ingredient, said two ingredient materials comprise two ingredient materials placed concentrically.

351. (Currently amended): The support for a frozen comestible of claim 349 wherein said material comprising two edible ingredient materials comprises a bite size ~~fun~~ ingredient ~~confection~~ placed inside or embedded in said support, said bite size ~~fun~~ ingredient ~~confection~~ comprises two ingredient materials, wherein each of said two ingredient materials comprise chocolate, fudge, chocolate chips, rainbow chips, a candy, a toy shaped candy, or chewing gum, said bite size ~~fun~~ ingredient ~~confection~~ comprises an ingredient in said support.

352. (Previously presented): The support for a frozen comestible of claim 349 wherein said material comprising two edible ingredient materials comprises an edible composite material.

353. (Currently amended): The support for a frozen comestible of claim 349 wherein said material comprising two edible ingredient materials comprises a ~~said~~ support.

354. (Currently amended): The support for a frozen comestible of claim 349 wherein

Appn. Number 09/641,410 (Kiely)

GAU 1794

Amendment A

8

said material comprising two edible ingredient materials comprises a single component composite material ~~an edible multi-ingredient~~ confection bar, wherein said confection bar comprises a predetermined or suitable size and shape to support said frozen comestible, wherein said material comprising two ingredient materials comprises an edible confectionary material, wherein said support comprises an edible support.

355. (Currently amended): The support for a frozen comestible of claim 349 wherein each of said two ingredient materials comprise a candy, a whipped confection, a mini colored candy chip, a flavored candy chip, a mini size piece of candy, crushed candy, an individually coated piece of candy, a nut, a candy bead, a fluid ingredient, an edible coating, an edible moisture resistant barrier, fudge, peanut butter, nougat, dried yogurt, mint, ginger, graham, a filling, gelatin, a binder, a bite size composite material confection, a cookie, a cracker, a wafer, a bread stick, a potato stick, a pretzel, whole grain comprising crisped rice, crushed comestibles, crumbs, cereal, or fruit.
356. (Previously presented): The support for a frozen comestible of claim 349, further comprising a plurality of ingredients in said material comprising a candy, mini colored chips, flavored chips, mini size pieces of candy, crushed candy, mini size pieces of individually coated candy, nuts, candy beads, a fluid ingredient, chewing gum, an edible coating, an edible moisture barrier, a cookie, a cracker, a wafer, a bread stick, a potato stick, a pretzel, fudge, peanut butter, whole grain comprising crisped rice, crushed comestibles, crumbs, cereal, nougat, yogurt, mint, ginger, graham, a filling, flavored sugar, colored sugar, gelatin, fruit, a binder, an edible bite sized composite material, a soft gummy appendage, or combinations thereof.
357. (Previously presented): The support for a frozen comestible of claim 349 wherein said material comprising two ingredient materials support comprises a handle.

Appn. Number 09/641,410 (Kicky)

GAU 1794

Amendment A

9

358. (Currently amended): The support for a frozen comestible of claim 349, further comprising a supported frozen comestible, a plurality of supported frozen comestibles, a plurality of cookies or comestibles supported on said frozen comestible, a lollipop, a mess guard, a drip guard, a coating, an edible moisture resistant barrier, an inedible portion comprising wood, plastic, or paper, an inedible toy, a gummy appendage or a plurality of dried fruit puree strips, a plurality of loops to make an open or spherical support, colored sugar, flavored sugar, sprinkles, nuts, packaging, a combined disposable mold and packaging apparatus comprising a stick alignment device, gripping indentations on said support, a plurality of supports, a hollow support, a freestanding portion, a plurality of handles, a wearable support, an edible ingredient material, a composite material, a material comprising two ingredient materials, a single component composite material confection bar, a void in said support, or a plurality of voids in said support.

359. (Canceled)

360. (Previously presented): A support for a frozen comestible comprising an edible composite material.

361. (Currently amended): The support for a frozen comestible of claim 360 wherein said edible composite material comprises a bite size ~~fun ingredient~~ confection placed inside or embedded in said support, wherein said bite size fun ingredient confection comprises two ingredient materials, wherein each of said two ingredient materials comprise chocolate, fudge, chocolate chips, rainbow chips, a candy, a toy shaped candy, or chewing gum, wherein said bite size fun ingredient composite material confection comprises an ingredient in said support.

362. (Currently amended) The support for a frozen comestible of claim ~~360~~ 361, wherein said further including an edible composite homogeneous material comprises

Appn. Number 09/641,410 (Kiely)

GAU 1794

Amendment A

10

two edible ingredient materials in said support.

363. (Currently amended): The support for a frozen comestible of claim 360 wherein said edible composite material comprises said a support.
364. (Currently amended): The support for a frozen comestible of claim 363 wherein said support comprises a single component composite material multi-ingredient confection bar comprising two ingredient materials, wherein said confection bar comprises a predetermined or suitable size and shape to support said frozen comestible, wherein said support comprises an edible support.
365. (Currently amended): The support for a frozen comestible of claim 364, wherein each of said two ingredient materials each comprise a candy, a whipped confection, a mini colored candy chip, a flavored candy chip, a mini size piece of candy, crushed candy, an individually coated piece of candy, a nut, a candy bead, a fluid ingredient, an edible coating, an edible moisture resistant barrier, fudge, peanut butter, nougat, dried yogurt, mint, ginger, graham, a filling, gelatin, a binder, a bite size composite material confection, a cookie, a cracker, a wafer, a bread stick, a potato stick, a pretzel, whole grain comprising crisped rice, crushed comestibles, crumbs, cereal, or fruit.
366. (Currently amended): The support for a frozen comestible of claim 365 wherein said edible composite material support comprises a handle.
367. (Currently amended): The support for a frozen comestible of claim 360, further comprising a supported frozen comestible, a plurality of supported frozen comestibles, a plurality of cookies or comestibles supported on said frozen comestible, a lollipop, a mess guard, a drip guard, a coating, an edible moisture resistant barrier, an inedible portion comprising wood, plastic, or paper, an inedible toy, a gummy appendage or a plurality of dried fruit puree strips, colored sugar,

Appn. Number 09/641,410 (Kiely)

GAU 1794

Amendment A

11

flavored sugar, sprinkles, nuts, packaging, a combined disposable mold and packaging apparatus comprising a stick alignment device, gripping indentations on said support, a plurality of supports, a hollow support, a freestanding portion, a plurality of handles, a wearable support, an edible ingredient material, a composite material, a material comprising two ingredient materials, a single component composite material confection bar, a void in said support, or a plurality of voids in said support.

368. (Previously presented): A support for a frozen comestible comprising a material comprising two edible ingredient materials, and means for making said support.

369. (Previously presented): The support for a frozen comestible of claim 368, further comprising a supported frozen comestible.

370. (Previously presented): A method of making a support for a frozen comestible comprising comprising a material comprising two edible ingredient materials in a support for a frozen comestible.

371. (Previously presented): The method of making a support for a frozen comestible of claim 370 wherein said comprising a material comprising two ingredient materials comprises comprising an edible composite material.

372. (Currently amended): The method of making a support for a frozen comestible of claim 370 wherein said comprising a material comprising two edible ingredient materials comprises comprising an a single component composite material edible multi-ingredient confection bar, wherein said confection bar comprises a predetermined or suitable size and shape for supporting said frozen comestible.

373. (Currently amended): The method of making a support for a frozen comestible of

claim 370 wherein said material comprising two ingredient materials support comprises a handle.

374. (Previously presented): The method of making a support for a frozen comestible of claim 370 wherein said comprising two ingredient materials comprises mixing said two ingredient materials.
375. (Previously presented): The method of making a support for a frozen comestible of claim 370 wherein said comprising two ingredient materials comprises layering said two ingredient materials.
376. (Currently amended): The method of making a support for a frozen comestible of claim 370, further comprising supporting a supported frozen comestible, a plurality of supported frozen comestibles, a plurality of cookies or comestibles supported on said frozen comestible, a lollipop, a mess guard, a drip guard, a coating, an edible moisture resistant barrier, an inedible portion comprising wood, plastic, or paper, an inedible toy, a gummy appendage or a plurality of dried fruit puree strips, a plurality of loops to make an open or spherical support, colored sugar, flavored sugar, sprinkles, nuts, packaging, a combined disposable mold and packaging apparatus comprising a stick alignment device, gripping indentations on said support, a plurality of supports, a hollow support, a freestanding portion, a plurality of handles, a wearable support, an edible ingredient material, a composite material, a material comprising two ingredient materials, a single component composite material confection bar, a void in said support, or a plurality of voids in said support.
377. (Previously presented): A method of making a support for a frozen comestible comprising comprising an edible composite material in a support for a frozen comestible.
378. (Previously presented): The method of making a support for a frozen comestible of

claim 377 wherein said support comprises a handle.

379. (Currently amended): The method of making a support for a frozen comestible of claim 377 wherein said edible composite material comprises ~~a composite material confection bar, wherein said edible composite material confection bar comprises~~ two ingredient materials, wherein each of said two ingredient materials comprise a candy, a mini colored candy chip, a flavored candy chip, a mini size piece of candy, crushed candy, an individually coated piece of candy, a nut, a candy bead, a fluid ingredient, an edible coating, an edible moisture resistant barrier, fudge, peanut butter, nougat, dried yogurt, mint, ginger, graham, a filling, gelatin, a binder, a composite material, a cookie, a cracker, a wafer, a bread stick, a potato stick, a pretzel, whole grain comprising crisped rice, crushed comestibles, crumbs, cereal, or fruit, wherein said confection bar comprises a predetermined or suitable size and shape for supporting said frozen comestible.
380. (Currently amended): The method of making a support for a frozen comestible of claim 377, further comprising ~~supporting a supported~~ supported frozen comestible, a plurality of supported frozen comestibles, a plurality of cookies or comestibles supported on said frozen comestible, a lollipop, a mess guard, a drip guard, a coating, an edible moisture resistant barrier, an inedible portion comprising wood, plastic, or paper, an inedible toy, a gummy appendage or a plurality of dried fruit puree strips, colored sugar, flavored sugar, sprinkles, nuts, packaging, a combined disposable mold and packaging apparatus comprising a stick alignment device, gripping indentations on said support, a plurality of supports, a hollow support, a freestanding portion, a plurality of handles, a wearable support, an edible ingredient material, a composite material, a material comprising two ingredient materials, a single component composite material confection bar, a void in said support, or a plurality of voids in said support.
381. (Previously presented): The method of making a support for a frozen comestible of

claim 380 further comprising freezing said support and said frozen comestible.

382. (Previously presented): The method of making a support for a frozen comestible of claim 381 wherein said freezing said support and said frozen comestible comprises manufacturing a supported frozen comestible in a combined disposable mold and packaging apparatus.

383. (New): The support for a frozen comestible of claim 362, wherein each of said two ingredient materials comprise a candy, a whipped confection, a mini colored candy chip, a flavored candy chip, a mini size piece of candy, crushed candy, an individually coated piece of candy, a nut, a candy bead, a fluid ingredient, an edible coating, an edible moisture resistant barrier, fudge, peanut butter, nougat, dried yogurt, mint, ginger, graham, a filling, gelatin, a binder, a bite size composite material confection, a cookie, a cracker, a wafer, a bread stick, a potato stick, a pretzel, whole grain comprising crisped rice, crushed comestibles, crumbs, cereal, or fruit.